

#22/a
10/18/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification Prior Application:
of this Application: Exam'r: Ardin Marschel, Ph.D.

Attorney's

Class _____ Subclass _____ Group Art Unit: 1807

Docket No.:
Enz-7 (P)(C3)

FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under §1.62)

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL
 CONTINUATION-IN-PART application under 37 CFR §1.60
X 37 CFR §1.62, of pending prior application Serial No. 07/967,646,
filed on October 28, 1992 of Jannis G. Stavrianopoulos, et al.

Inventor(s)

for:

COMPOSITION AND KIT EMPLOYING CHEMICALLY
LABELLED POLYNUCLEOTIDE PROBES

Title of Invention

1. _____ Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. _____ A copy of the verified statement under 37 CFR §1.9 and §1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT								
					RATE		FEE	
	Number Filed		Number Extra		Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	21	=	1	x	\$ 11	\$22	=	\$ -- \$ 22
Independent Claims	2	=	0	x	\$ 38	\$76	=	\$ -- \$ 0
Multiple Dependent Claims Presented:	Yes <u>x</u> No				\$120	\$240	\$ ---	\$ 0
* If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$730
							\$ 365	
						TOTAL FEE		\$752
							\$ ---	

Attorney's Docket No. Enz-7(P)(C3)

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EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>TB842440643</u>	
Deposit Date <u>JUNE 7, 1995</u>	
I hereby certify that this paper and the attachments hereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
<u>Ronald C. Fedus</u> <u>JUNE 7, 1995</u> Ronald C. Fedus Reg. No. 32,567	

Stavrianopoulos et al.

Serial No.: Not Yet Assigned

Filed: Herewith

Page: 2 (Request for a Continuation Application Under 37 C.F.R. § 1.62 -
June 7, 1995)

4. The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR §1.16.

Any patent application processing fees under 37 CFR §1.17.

5. The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6. A check in the amount of \$_____ is enclosed.

7. Cancel claims _____

8. Amend the specification by inserting before the first line of the sentence: --- This is a continuation, divisional, continuation-in-part, of application Serial No. 07/967,646, filed on October 28, 1992.---

9. Transfer the drawings from the prior application.

10. Informal Formal drawings are enclosed.

11. Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119. _____ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____

13. The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc. 575 Fifth Avenue, New York, New York 10017.

14. A preliminary amendment is enclosed.

Attorney's Docket No. Enz-7(P)(C3)

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Stavrianopoulos et al.

Serial No.: Not Yet Assigned

Filed: Herewith

Page: 3 (Request for a Continuation Application Under 37 C.F.R. § 1.62 -
June 7, 1995)

15. The power of attorney in the prior application is to:
Ronald C. Fedus, Reg. No. 32,567.

(a) The power appears in the original papers in the prior application.

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) A copy of a new substitute power of attorney is enclosed.

(d) Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
575 Fifth Avenue (18th Floor)
New York, New York 10017

16. Also accompanying this Request _____

17. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/960,071, filed on October 13, 1992.

18. An Office Action was mailed on January 5, 1995 in connection with the parent application (Serial No. 07/967,646). A Request For An Extension of Time (3 months) with authorization for the requested extension fee is being correctly filed herewith. Accordingly the parent is presently pending and copending with the filing of this new continuation application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Attorney's Docket No. Enz-7(P)(C3)

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Stavrianopoulos et al.
Serial No.: Not Yet Assigned
Filed: Herewith
Page: 4 (Request for a Continuation Application Under 37 C.F.R. § 1.62 -
June 7, 1995)

Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 7, 1995
Date



Signature [Ronald C. Fedus]

Registration No. 32, 567

Attorney for Applicants

Inventor(s)

Assignee of Complete Interest

Attorney or Agent of Record

Filed under 37 CFR §1.34(a)

Address of Signator:
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
575 Fifth Avenue (18th Floor)
New York, New York 10017

Attorney's Docket No. Enz-7(P)(C3)

Please date stamp and return to addressee.

APPLICANT: JANNIS G. STAVRIANOPOULOS ET AL.

Express Mail Label No.
TB842440643

TITLE: COMPOSITION AND KIT EMPLOYING

CHEMICALLY LABELLED POLYNUCLEOTIDE

PROBES

ENCLOSED ARE:

<input type="checkbox"/> Application	<input type="checkbox"/> Response to OA
<input type="checkbox"/> Declaration	<input type="checkbox"/> Amendment
<input type="checkbox"/> Drawings	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> Assignment	<input checked="" type="checkbox"/> Other (see below)

REQUEST FOR CONTINUATION APPLICATION UNDER
37 CFR §1.62

DATE MAILED: JUNE 7, 1995

Serial No. _____

Docket No. ENZ-7(P)(C3)

Please date stamp and return to addressee.

APPLICANT: JANNIS G. STAVRIANOPOULOS ET AL.

Express Mail Label No.
TB842440643

TITLE: COMPOSITION AND KIT EMPLOYING

CHEMICALLY LABELLED POLYNUCLEOTIDE

PROBES

ENCLOSED ARE:

<input type="checkbox"/> Application	<input type="checkbox"/> Response to OA
<input type="checkbox"/> Declaration	<input type="checkbox"/> Amendment
<input type="checkbox"/> Drawings	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> Assignment	<input checked="" type="checkbox"/> Other (see below)

REQUEST FOR CONTINUATION APPLICATION UNDER
37 CFR §1.62

DATE MAILED: JUNE 7, 1995

Serial No. **486070**

Docket No. ENZ-7(P)(C3)

Please date stamp and return to addressee.

APPLICANT: JANNIS G. STAVRIANOPoulos ET AL.

Express Mail Label No.

EF436871773

TITLE: COMPOSITION EMPLOYING CHEMICALLY
LABLED OLIGONUCLEOTIDE OR POLYNUCLEOTIDE,
AND KIT AND APPARATUS CONTAINING SAME

First Class Mailing Date

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DATE MAILED: OCTOBER 5, 1995

ENCLOSED ARE:

<input type="checkbox"/> Application	<input type="checkbox"/> Response to OA
<input type="checkbox"/> Declaration	<input checked="" type="checkbox"/> Amendment (PRELIMINARY)
<input type="checkbox"/> Drawings	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> Assignment	<input checked="" type="checkbox"/> Other (see below)

TRANSMITTAL

Serial No. 08/486,070

Docket No. ENZ-7(P)(C3)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

JUNE 7 1991

REFILING

I also wish to receive the following services (for an extra fee):

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WASHINGTON, D. C.

20231

4a. Article Number

TB842440643

4b. Service Type

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<input type="checkbox"/> Certified	<input type="checkbox"/> COD
<input checked="" type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

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